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Attorneys for Plaintiffs RICHARD STICKNEY,  
 an individual; and DISABILITY RIGHTS  
 ENFORCEMENT, EDUCATION SERVICES:  
 HELPING YOU HELP OTHERS,  
 a California public benefit corporation.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

RICHARD STICKNEY, an individual; and )  
 DISABILITY RIGHTS ENFORCEMENT, )  
 EDUCATION SERVICES:HELPING )  
 YOU HELP OTHERS, a California public )  
 benefit corporation, )

Plaintiff,

vs.

GIANT CHEF BURGER, INC., a )  
 California corporation; DEMETRIUS D. )  
 GASSOUMIS and IRENE K. KIKES, as )  
 tenants in common, )

Defendants.

**CASE NO. C 03 5243 MEJ**

**STIPULATION OF DISMISSAL;**

**THE CLERK OF COURT SHALL  
 CLOSE THE FILE.**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Mutual Settlement Agreement and Release In Full ("Agreement"), each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

1 This stipulation may be executed in counterparts, all of which together shall constitute  
2 one original document.

3 DATED: 6/16, 2005

4 THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

5  
6 By: /s/ JESSICA A. DAYTON  
7 Attorneys for Plaintiffs RICHARD STICKNEY,  
8 an individual; and DISABILITY RIGHTS  
9 ENFORCEMENT, EDUCATION SERVICES:  
HELPING YOU HELP OTHERS, a California  
public benefit corporation

10 DATED: 6/10, 2005

LAW OFFICE OF BRUCE ZELIS

11  
12 By: /s/ BRUCE ZELIS  
13 Attorneys for Defendants GIANT CHEF BURGER,  
14 INC., a California corporation; DEMETRIUS D.  
GASSOUMIS and IRENE K. KIKES, as tenants in  
common.

15  
16 **ORDER**

17 IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to  
18 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for  
the purpose of enforcing the parties' Mutual Settlement Agreement and Release In Full should  
such enforcement be necessary.

19 The Clerk of Court shall close the file.

20 By: HON. MARIA-ELENA JAMES  
21 United States District Court  
Northern District of California

22 DATE: June 16, 2005

